

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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TERRANCE GRISSOM,

Plaintiff,

v.

Case No. 05-C-491

JOHN GOLTZ,

Defendant.

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**ORDER**

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Plaintiff Terrance Grissom, who is proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Pursuant to the Prison Litigation Reform Act (PLRA), the plaintiff is required to pay the statutory filing fee of \$250.00 for this action. *See* 28 U.S.C. § 1915(b)(1).

By an order dated June 1, 2005, the plaintiff was instructed to forward to the clerk of court within twenty-one days of the issuance of the order a sum in the amount of \$.83 as an initial partial filing fee in this action. The plaintiff was advised that failure to pay the fee within the specified time period would result in a dismissal of his action. To date the plaintiff has not paid this partial filing fee and his time for doing so has expired. From this failure to pay the initial filing fee this court infers that the plaintiff no longer wants to prosecute this action. Therefore, the court will dismiss this case without prejudice.

**NOW, THEREFORE, IT IS ORDERED** that this action be and hereby is dismissed without prejudice for failure to prosecute.

**IT IS FURTHER ORDERED** that this dismissal will not be counted as a "strike" under 28 U.S.C. § 1915(g).

**IT IS ALSO ORDERED** that copies of this order be sent to the warden of the institution where the inmate is confined and to Corey F. Finkelmeyer, Assistant Attorney General, Wisconsin Department of Justice, P.O. Box 7857, Madison, Wisconsin, 53707-7857.

Dated this 1st day of July, 2005.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge